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EXAMINER	
RAMPURIA, SHARAD K	
ART UNIT	**PAPER NUMBER**
2617	
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08/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/815,406	HAWKINS, JEFFREY C.	
	Examiner	Art Unit	
	Sharad Rampuria	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 June 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4,5,7-9,13-15,20,22,23,25-29 and 32-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4,5,7-9,13-15,20,22,23,25-29 and 32-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

II. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/08/2007 has been entered.

Disposition of the claims

III. The current office-action is in response to the RCE filed on 06/08/2007.

Accordingly, Claims 2-3, 6, 10-11, 12, 16-19, 21 and 24, 30-31, 36 are cancelled. Claims 1, 4-5, 7-9, 13-15, 20, 22-23, and 25-29, 32-35 are pending for further examination as follows:

Claim Rejections - 35 USC § 103

IV. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 5, 7-9, 13-15, and 20, 22-23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Warren [US 6999792] in view of Kobayashi [US 6633759].

As per claim 1, Warren teaches:

A peripheral device (10; Fig.1) for operation in conjunction with a handheld wireless communication device (12; Fig.1), the peripheral device (Abstract, Col.4; 15-24) comprising:

An alphanumeric keyboard (16; Fig.1, Col.4; 25-35) located on a first part of the enclosure and configured to receive user input data; (Col.4; 25-35)

A communication interface (28; Fig.1) operable to a communication interface operable to receive first data and transmit second data to the handheld wireless communication device, the first and second data being interactable by an application on the handheld wireless communication device, (Col.3; 4-22, Col.4; 50-Col.5; 7, Col.9; 51-67, Col.4; 36-43, Col.6; 61-Col.7; 8)

A screen (20; Fig.1, Col.4; 25-35) located on a second part of the enclosure and configured to display at least part of the first and second data; (Col.4; 25-35, 44-48) and

A processor (36; Fig.2) coupled to the alphanumeric keyboard, the enclosure (14; Fig.1), the communication interface, and the screen, operable to execute software code for the peripheral application using the user input data and the first data thereby generating the second data; (Col.5; 62-Col.6; 10) and

Warren doesn't teach specifically, a communication interface operable to automatically establish connectivity with the handheld wireless communication device in response to a transition of the enclosure from the closed position to the opened position, to receive first data and software code for a peripheral application from the handheld wireless communication device and to transmit second data to the handheld wireless communication device, the first and second data being interactable by an application on the handheld wireless communication device, the peripheral application being associated with the application on the handheld wireless communication device. However, Kobayashi teaches in an analogous art, that a communication interface operable to automatically establish connectivity with the handheld wireless communication device in response to a transition of the enclosure from the closed position to the opened position, (nevertheless, this type of enclosure disclosed in cellular phone (in Kobayashi; 39; Fig.4) but it is old and notoriously well known in an analogous art that the enclosure disclose in one of the above device, thereby connecting each-other based on the open/close detection, for example, see Kobayashi; 39; Fig.4, Col.7; 1-13, and Col.7; 64-Col.8; 9) to receive first data and software code (i.e. email message; Col.4; 33-38, Col.5; 3-14) for a peripheral application from the handheld wireless communication device and to transmit second data to the handheld

wireless communication device, the first and second data being interactable by an application on the handheld wireless communication device, the peripheral application being associated with the application on the handheld wireless communication device. (i.e. access information on the PC device; Col.8; 32-42, Col.9; 5-12, Col.12; 22-32, Col.13; 62-Col.14; 6) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Warren including a communication interface operable to automatically establish connectivity with the handheld wireless communication device in response to a transition of the enclosure from the closed position to the opened position, to receive first data and software code for a peripheral application from the handheld wireless communication device and to transmit second data to the handheld wireless communication device, the first and second data being interactable by an application on the handheld wireless communication device, the peripheral application being associated with the application on the handheld wireless communication device in order to provide a communication system, wherein software installed in one device is remotely manipulated by the other, so that display data generated by starting the software can be displayed on the other device, and a mobile communication device, an information processing device, and a data communication method used in the communication system. (Col.2; 15-21)

As per claim 7, Warren teaches:

The peripheral device of claim 1, wherein said communication interface further transmits a signal to said handheld wireless communication device directing said handheld wireless communication device to transmit at least one data item and a data request via a network connection. (i.e. internent; Col.4; 36-43, Col.9; 51-67)

As per claim 8, Warren teaches:

The peripheral device of claim 1, wherein said communication interface further receives a signal from said handheld wireless communication device representing at least one data item received by said handheld wireless communication device via a network connection. (i.e. internent; Col.4; 36-43, Col.9; 51-67)

As per claim 9, Warren teaches:

The peripheral device of claim 7, wherein said communication interface further transmits a signal to said wireless communication device directing said wireless communication device to transmit at least one data item and a data request via the Internet. (i.e. internent; Col.4; 36-43, Col.9; 51-67)

As per claim 13, Warren teaches:

The peripheral device of claim 6, wherein said predetermined event for establishing connectivity is a signal transmitted by said handheld wireless communication device. (i.e. access information; Col.3; 4-22, Col.4; 44-62, Col.9; 51-67)

As per claim 14, Warren teaches:

The peripheral device of claim 1, wherein said second data is stored in a storage medium on said peripheral device. (i.e. memory, 38; Fig.2; Col.5; 62-65)

As per claim 15, Warren teaches:

The peripheral device of claim 1, wherein said processed data is stored in a storage medium on said wireless communication device. (i.e. memory, 38; Fig.2; Col.5; 62-65)

As per claim 20, Warren teaches:

The peripheral device of claim 1, further comprising a network interface, coupled to said processor, for transmitting at least one of a data item and a data request via a network connection, and for receiving at least one data item via said network connection. (i.e. internent; Col.4; 36-43)

As per claim 22, Warren teaches:

The peripheral device of claim 1, further comprising memory for storing the first data and the second data. (i.e. memory, 38; Fig.2; Col.5; 62-65)

As per claim 23, Warren teaches:

The peripheral device of claim 22, wherein said memory stores said first data and said second data from one user session to at least one subsequent user session. (Col.4; 44-62)

Claims 4 & 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warren and Kobayashi further in view of Guerlin et al. [US 5870680].

As per claim 4, Warren and Kobayashi teaches all the particulars of the claim except peripheral device automatically turns on in response to at least one predefined event. However, Guerlin teaches in an analogous art, that the peripheral device of claim 1, wherein said peripheral device automatically turns on in response to at least one predefined event. (i.e. When it has not received any scanning messages in a predetermined time interval, the microprocessor 240 in the microcomputer 2 commands the activity controller 242 via the bus Bca' to deactivate/activate the clock circuits timing the microprocessor 240 and the interface circuit 25; Col.6; 17-28, Col.7; 1-8) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Warren and Kobayashi including peripheral device automatically turns on in response to at least one predefined event in order to provide making provision for placing the microprocessors and the input-output interface circuits in the mobile telephone and the microcomputer on standby.

As per claim 6, Warren and Kobayashi teaches all the particulars of the claim except communication interface is adapted to automatically establish connectivity with said peripheral device in response to at least one predefined event. However, Guerlin teaches in an analogous art, that the peripheral device of claim 1, wherein said communication interface is adapted to automatically establish connectivity with said peripheral device in response to at least one predefined event. (i.e. When it has not received any scanning messages in a predetermined time interval, the microprocessor 240 in the microcomputer 2 commands the activity controller 242 via the bus Bca' to deactivate/activate the clock circuits timing the microprocessor 240 and the interface circuit 25; Col.6; 17-28, Col.7; 1-8).

Claims 5 & 25-26, 28-29, 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warren and Kobayashi further in view of Bloch et al. [US 7054594].

As per claim 5, Warren and Kobayashi teaches all the particulars of the claim except a backup memory, operably coupled to the communication interface, for storing a backup copy of the first data. However, Bloch teaches in an analogous art, that the peripheral device of claim 1, further comprising a backup memory, operably coupled to the communication interface, for storing a backup copy of the first data. (e.g. back-up storage; Col.8; 57-67) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Warren and Kobayashi including a backup memory, operably coupled to the communication interface, for storing a backup copy of the first data in order to provide a method of safeguarding against loss of data stored in a portable data storage device, providing user-carried a backup device having memory and a wireless communication link for communicating with the portable data storage device.

As per claim 25, Warren teaches:

A peripheral device (10; Fig.1) for a handheld computing system (Abstract, Col.4; 15-24), the peripheral device comprising:

A communication interface (28; Fig.1) structured to receive first data from the handheld computing system (i.e. email message can continue with the device 10; Col.3; 4-22, Col.4; 44-62, Col.9; 51-67) and transmit second data to the handheld computing system, wherein the first

data and the second data are interactable by a handheld application on the handheld computing system, (Col.3; 4-22, Col.4; 50-Col.5; 7, Col.9; 51-67, Col.4; 36-43, Col.6; 61-Col.7; 8)

A display (20; Fig.1, Col.4; 25-35) communicatively coupled with the communication interface and structured to visually present at least part of the first data and the second data;

An alphanumeric keyboard (16; Fig.1, Col.4; 25-35) hingedly coupled with the display and structured to receive an a user input, the user input being for manipulating the first data; and

A processor (36; Fig.2) coupled to the communication interface, the alphanumeric keyboard, and the display and configured to execute a peripheral application using the user input and the first data thereby generating the second data (Col.5; 62-Col.6; 10).

Warren doesn't teach specifically, software code for a peripheral application from the handheld wireless communication device the peripheral application being associated with the application on the handheld wireless communication device. However, Kobayashi teaches in an analogous art, that the software code (i.e. email message; Col.4; 33-38, Col.5; 3-14) for a peripheral application from the handheld wireless communication device the peripheral application being associated with the application on the handheld wireless communication device. (i.e. access information on the PC device; Col.8; 32-42, Col.9; 5-12, Col.12; 22-32, Col.13; 62-Col.14; 6).

Warren and Kobayashi doesn't teach specifically, a backup memory, operably coupled to the communication interface, for storing a backup copy of the first data. However, Bloch teaches in an analogous art, that a backup memory, operably coupled to the communication interface, for storing a backup copy of the first data. (e.g. back-up storage; Col.8; 57-67)

As per claim 26, Warren teaches:

The peripheral device of claim 25, wherein the display comprises graphics processor for rendering full-screen display. (10; Fig.2, Col.4; 63-67)

As per claim 28, Warren teaches:

The peripheral device of claim 25, further comprising a processor configured to process the visually presented data prior to transmitting the second data to the handheld computer system. (10; Fig.2, Col.4; 63-67)

As per claim 29, Warren teaches:

The peripheral device of claim 25, further comprising a memory to temporarily store the visually presented data. (10; Fig.2, Col.4; 63-67)

As per claim 32, Warren teaches:

The peripheral device of claim 25, wherein the communication interface comprises a Bluetooth communication interface. (Col.6; 33-36)

As per claim 33, Warren teaches:

The peripheral device of claim 25, wherein the communication interface comprises a tethered communication interface. (Col.6; 33-36)

As per claim 34, Warren teaches:

The peripheral device of claim 25, further comprising a power management module configured to instantly place the display and the alphanumeric keyboard in an instant on state or an instant off state. (40; Fig.2, Col.5; 63-65)

As per claim 35, Warren teaches:

The peripheral device of claim 25, wherein the handheld computing system comprises a personal digital assistant. (10; Fig.2, Col.5; 41-50)

Claim 27 rejected under 35 U.S.C. 103(a) as being unpatentable over Warren, Kobayashi and Bloch further in view of Haller et al. [US 7013112].

As per claim 27, the above combination teaches all the particulars of the claim except the alphanumeric keyboard comprises a QWERTY keyboard. However, Haller teaches in an analogous art, that the peripheral device of claim 25, wherein the alphanumeric keyboard comprises a QWERTY keyboard. (204a; Fig.2, Col.9; 58-63) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the above combination including the alphanumeric keyboard comprises a QWERTY keyboard in order to provide a method for making a decision in response to information from a short distance wireless network.

Response to Amendments & Arguments

V. As a further review of Applicant's amendments and arguments, it is found that the previous cited art ***Kobayashi*** still teaches the newly added claimed limitations as shown in the above rejection

Conclusion

VI. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000 or *EBC@uspto.gov*.

/Sharad Rampuria/
Patent Examiner
Art Unit 2617